

DETERMINING APPROPRIATE CA/N REPORTS

Criteria for determining appropriate CA/N reports should be consistent for CANHU and for the county office. The following are guidelines to assist in determining CA/N reports for the county office which are based on guidelines found in the Child Abuse/Neglect Hotline Unit (CANHU) Operational Policy and Procedures Manual:

- It is inappropriate to report assault to CANHU unless the alleged perpetrator has care, custody, or control of the victim. An exception to this is a child who is assaulted as a result of lack of supervision by a parent or caretaker. All sexual or serious physical assault reports received by CANHU where the alleged perpetrator does not have care, custody and control, will be referred to the County Children's Division (CD) office for possible referral to the appropriate law enforcement agency. Mandated reporters are required by law to report all abuse or neglect to CANHU regardless of care, custody, or control.
- A friend or paramour of the parent or caretaker who lives in the victim's home or spends a significant amount of time in the home, will be named as the alleged perpetrator.
- Alcohol/drug abuse and prostitution by the parent/caretaker does not constitute an appropriate report unless specifics can be related to how the child is negatively affected.
- A call involving an unborn fetus is not an appropriate report.
- A child without legal guardianship is considered in need of services due to questionable care, custody or control of the child.
- An incident of rape is an inappropriate report of sexual abuse unless the alleged perpetrator is a family member and/or someone with care, custody, or control of the child. An exception to this is a child who is raped as a result of lack of supervision by a parent or caretaker.
- Reports relating to "child custody" are not appropriate unless the reporter can relate specifics in regard to CA/N. An attorney's request to call CANHU is not, by itself, a valid criteria. Explore report thoroughly for information, which indicates CA/N, including prior and/or open FCS case, etc.
- Interstate and/or intrastate requests for follow-up services for a family are not appropriate reports unless dealing with a non-investigated CA/N incident.
- Second and third party reports are acceptable, if the reporter has knowledge of, or is aware of specific information that relates to CA/N. If not, the reporter

is encouraged to have the person who is aware of the situation contact CANHU. The Children's Services Worker (CSW) should indicate the reporter's source of information in the case record.

- When a reporter does not have an address for a family, the CSW explores areas such as the following:
 - Secure the name of the family. In rural areas, the family can sometimes be found without an address.
 - Request directions to the family's residence, school attended by the children and parent(s)' work location(s).
 - Request the name and home and work phone numbers of the reporter for further information.
 - Request that the reporter try to obtain the address and contact CANHU or re-contact County Office.
 - Request the family's home and work phone numbers and attempt to secure the family's home and work addresses.
 - Search CD records to see if this family is known to the agency.
 - Review phone book to see if family is listed.
 - Use any other acceptable method to locate the family.
- Mandatory school attendance applies to children, ages seven to sixteen, and children, ages five and six, when they have been enrolled in a public school. Truancy should be reported to the Juvenile Officer. Truancy involves situations where the parent/caretaker has made an effort to control the problem. Truancy alone is not an appropriate report.
- Preventive Services reports to CANHU include, but are not limited to those in which the parent/caretaker is unable to assume his/her responsibilities due to illness, incarceration, or death. Reports where parent/caretakers want the children picked up will be an appropriate CA/N report.
- Child Care Licensing or Residential Licensing violations are to be referred to the Child Care Licensing Unit or Residential Program Unit. If the reporter alleges CA/N by a Child Care provider or a Residential Treatment Facility provider, a CA/N report is taken.

- Medical neglect of a handicapped infant (Baby Doe) in a hospital or health care facility is an appropriate report. The CSW should immediately bring a Baby Doe report to his/her supervisor's attention.

Related Subject: Chapter 4.3.11, of this section, Baby Doe.

- Reports which indicate the parent or guardian is not obtaining medical treatment due to religious beliefs is an appropriate report.
- Any complaints received regarding the Child Passenger Restraint Law should be referred to the Department of Public Safety and/or local law enforcement personnel.
- Requests by physician/health care providers for "Newborn Crisis Assessment" for a drug involved infant or other non-drug related situations are not appropriate CA/N reports. Although not CA/N reports, these are to be responded to as an emergency, i.e., an immediate response to the request and provision of information to the referring party in a timely manner.

Related Subject: Chapter 5.4, of this section, Newborn Crisis Assessment.

- Requests by physician/health care providers regarding drug involved infants that are not CA/N may be referred to the Department of Health and Senior Services/Bureau of Special Health Care Needs (DHSS/BSHCN) toll-free number (1-800-877-6246) for follow-up by a Department of Health and Senior Services (DHSS) Service Coordinator. The BSHCN's staff will respond to referrals in 72 hours.
- An educational neglect report may be accepted when a student cannot attend school due to having received none of the required immunizations, and the school has made efforts to assist and encourage the family in obtaining the immunizations. Exceptions for a child not receiving immunizations are if one parent or guardian objects, in writing to the school administrator because of religious beliefs or medical contraindications. In the latter instance, a statement from a licensed physician must be provided to the school administrator.
- Except in cases of incest, reports of consensual sex are not accepted for children age 14 and older. A CA/N or non-caretaker report is accepted for children under age 14 (regardless of consent). Examples: a 13 year old and 30 year old is taken as a CA/N report while a 13 year old and 16 year old is taken as a non-caretaker referral.

- Reports alleging bruises or other physical injuries which have occurred in the past, but are no longer present, are acceptable. These reports should be coded "B" - bruises or the appropriate code for the injury, rather than "T" - Other Physical Abuse or Injury.
- Reports alleging educational neglect are accepted in instances where it is unclear whether the child is actually being home schooled. Upon discovery that the parent is home schooling, the report (if there are other allegations, these must be fully investigated) must be referred to the school district to review the home school situation.
- Reports alleging children are suicidal or have committed suicide because of child abuse/neglect are acceptable reports. Specific behaviors describing the parent's action/inaction, which cause the child to be suicidal or to have committed suicide should be described by the reporter.
- Reports of head lice are accepted only if the reporter identifies that the parent/caretaker refuses to take appropriate steps to deal with the lice and/or this is a recurring problem within the family and within the same school year. The reporter must describe attempts made by the family and/or a refusal on the part of the parent/caretaker to adequately remedy the problem.
- In cases of sibling/adolescent sex abuse, where there is a clear caretaker role, i.e., baby-sitter, or there is a sufficient age difference between the alleged perpetrator and the victim, so as to imply that the alleged perpetrator is a caretaker or could easily coerce/intimidate the victim to participate in sexual activity, a report is taken which lists the caretaker as the alleged perpetrator of sexual abuse.
- When a parent has knowledge that another child in the home has previously sexually abused the victim, or other children, and the parent continues to leave the abuser in a caretaker role, a report of "lack of supervision" is taken on the parent.
- In cases where the report alleges there is an active operational methamphetamine ("meth") lab in a home, children are exposed to "unsafe living conditions" due to the unusual threat of the extreme explosiveness of meth labs. The Missouri State Highway Patrol indicates these labs pose a two-fold serious threat: they are extremely dangerous due to the likely threat of near-spontaneous explosion and fire of an extremely violent nature; and chemicals used in the production of this drug are extremely toxic, both in their short and long term effect on a family. Under these circumstances, a report for "unsafe living conditions" will be taken.

TITLE: CHILD WELFARE MANUAL
SECTION 2: INTAKE
CHAPTER 2: CHILD ABUSE/NEGLECT REPORTS RECEIVED AT THE
COUNTY OFFICE
ATTACHMENT A: DETERMINING APPROPRIATE CA/N REPORTS
EFFECTIVE DATE:
PAGE: 5

If, for some reason, the CSW determines that a report is inappropriate, he/she should explain to the reporter why a report is inappropriate. The CSW should also tell the reporter what kind of information is needed to take a report and encourage the reporter to call back if he/she observes and/or learns of CA/N in the future.

Related Subject: Chapter 1, of this section, Attachment A, Information Obtained From the Reporter by CANHU.

Every effort should be made by the CSW to refer inappropriate reports such as assault, rape, non-parental/caretaker sexual exploitation, etc., to appropriate law enforcement personnel. This helps to ensure the protection of children who do not fall within CA/N report guidelines.

CARE, CUSTODY AND CONTROL

Related Subject: Chapter 1, of this section, Attachment A Information Obtained From the Reporter by CANHU.

Referrals from Court Pursuant to Ex Parte Orders of Protection

If the petition for an ex parte order of child protection in a domestic violence situation (granted due to an immediate and present danger of abuse to a child) contains allegations which would enable the juvenile court to take jurisdiction of the child under Section 211.031 RSMo, the court may direct the Division to complete an "investigation" or fact-finding report concerning the allegations in the petition.

The reasons outlined in Section 211.031 RSMo by which a juvenile court can take jurisdiction include: Abuse/neglect by the parent or guardian; the child is without proper care, custody, or support; the child is living in a dwelling which was found by a court to be a public nuisance; the child is repeatedly and without justification absent from school; the child is habitually absent from his home without sufficient cause, permission, or justification; the behavior or associations of the child are injurious to his welfare or to the welfare of others; the child is charged with an offense not classified as criminal or alleged to have violated a state law or municipal ordinance; adoption; or for the commitment of a child to the guardianship of the Department of Social Services as provided by law.

One of the primary reasons for granting a child protection ex parte order is abuse of a child, according to the definition of abuse found in Chapter 455 RSMo. That definition is the same as the definition found in Chapter 210 RSMo, except that stalking of a child is included in Chapter 455 RSMo. Stalking of a child is defined as purposely and repeatedly harassing or following, with the intent of harassing a child.

TITLE: CHILD WELFARE MANUAL
SECTION 2: INTAKE
CHAPTER 2: CHILD ABUSE/NEGLECT REPORTS RECEIVED AT THE
COUNTY OFFICE
ATTACHMENT A: DETERMINING APPROPRIATE CA/N REPORTS
EFFECTIVE DATE:
PAGE: 6

When the local office receives a directive from the court for an investigation, they should review the information to determine if the allegations constitute a CA/N report. This would normally be the case, but not necessarily all the time.

Referral from court accepted as a CA/N report - If the allegations contained in the petition rise to the level of a CA/N report (the automated system should be checked to determine if there is a pending investigation into the allegations), a CA/N report shall be made and a CA/N investigation completed. The report should also address all allegations in the petition and the items listed below.

Referral from court does not constitute CA/N report - If it is determined that the allegations in the petition do not constitute CA/N, the process followed would be similar to that completed for a Newborn Crisis Assessment, in which a home assessment is completed and a report made to the referring agency. This should involve visits with the child and adult who filed the request for an ex parte order on behalf of the child. At a minimum, the following should be done:

- Address allegations in the petition with all parties;
- See children and complete a systems review of the entire household to assess risk to the child and to others in the family;
- Evaluate support system which is in place, including family members, friends, etc. (staff are encouraged to use the genogram and ecomap);
- Determine other agencies involved with family and extent of their involvement; and
- Contact other agencies involved with the family to determine support, if appropriate.

Staff should include in the report any available information regarding existing or pending divorce/custody decrees that stipulate that a parent cannot have custody or visitation when that parent has been found guilty of, or pled guilty to, a felony violation of Chapter 566 RSMo (Sexual Offenses) or Chapter 568 RSMo (Offenses Against the Family), when that child was the victim.

A copy of the completed CA/N investigation (without the reporter's name) should be provided to the court and juvenile officer within 30 days of receiving the court order. The parties to the petition and the Guardian ad Litem (GAL) or Court Appointed Special Advocate (CASA) shall be notified in writing that the Division has filed the report.

Family-Centered Services (FCS) will be provided to the family, as appropriate.

TITLE: CHILD WELFARE MANUAL
SECTION 2: INTAKE
CHAPTER 2: CHILD ABUSE/NEGLECT REPORTS RECEIVED AT THE
COUNTY OFFICE
ATTACHMENT A: DETERMINING APPROPRIATE CA/N REPORTS
EFFECTIVE DATE:
PAGE: 7

MEMORANDA HISTORY: